

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

MARC VEASEY, *et al.*,

Plaintiffs,

VS.

RICK PERRY, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:13-CV-00193

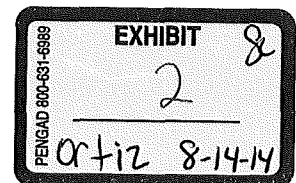
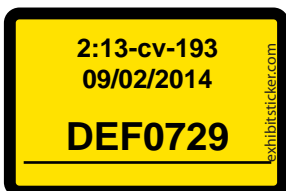
**DEFENDANTS' NOTICE OF INTENTION TO TAKE ORAL DEPOSITION  
OF LEAGUE OF UNITED LATIN AMERICAN CITIZENS (LULAC)**

To: **League of United Latin American Citizens (LULAC)**, by and through its attorneys of record, Chad W. Dunn, K. Scott Brazil, Brazil & Dunn, 4201 Cypress Creek Parkway, Suite 530, Houston, Texas 77068; J. Gerald Herbert, Campaign Legal Center, 215 E Street, NE, Washington, DC 20002; Neil G. Baron, Law Office of Neil G. Baron, 914 FM 517 W, Suite 242, Dickinson, Texas 77539; Armand G. Derfner, Derfner, Altman & Wilborn, LLC, 575 King Street, Suite B, Charleston, S.C. 29403; Luis Roberto Vera, Jr., LULAC National General Counsel, The Law Offices of Luis Vera Jr., and Associates, 1325 Riverview Towers, 111 Soledad, San Antonio, Texas 78205-2260.

Please take notice that on August 14, 2014, beginning at 2:00 P.M., at the Office of the Attorney General, 209 West 14<sup>th</sup> Street, Austin, Texas, Defendants the State of Texas, Rick Perry, the Texas Secretary of State<sup>1</sup> and Steve McCraw, by and through the Attorney General for the State of Texas, will take the oral deposition of LULAC, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure.

This deposition will be recorded by stenographic means, conducted before an individual authorized to administer oaths, and used for any purpose permitted under the Federal Rules of Civil Procedure or court order. The deposition may be

<sup>1</sup> Various complaints identify the Texas Secretary of State as John Steen. The current Secretary of State, however, is Nandita Berry.



videotaped. The deposition will continue from time to time and place to place until concluded.

LULAC is directed to designate a person or persons to testify on its behalf on the matters identified in Exhibit A hereto.

## EXHIBIT A

### DEFINITIONS

The following terms have the following meanings, unless the context requires otherwise:

1. Party or Parties. The term “plaintiff” or “defendant” as well as a party’s full or abbreviated name or a pronoun referring to a party, means the party and, when applicable, his agents, representatives, officers, directors, employees, partners, corporate parent, subsidiaries, or affiliates. This definition is not intended to impose a discovery obligation on any person who is not a party to the litigation.
2. Relating. The term “relating” means concerning, referring, describing, evidencing, supporting, refuting, or constituting, either directly or indirectly.
3. SB 14. The term “SB 14” refers to Texas Senate Bill 14, 82d Leg., R.S., ch 123, § 3, 2011 Tex. Gen. Laws 619, including all companion or predecessor bills filed during previous sessions, whether regular or special, of the Texas Legislature, and all alternative bills or proposals, whether filed or not, relating to the use of photographic identification for voting in the state of Texas. However, where SB14 is quoted from an allegation in the Federal Complaint, the term “SB 14” has the meaning ascribed to it in the Federal Complaint.
4. And & or. The connectives “and” and “or” should be construed either conjunctively or disjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside its scope.
5. Person. The term “person” means any natural person, a business, a legal or governmental entity, or an association.
6. You & your. The terms “you” and “your” means LULAC, and its members, agents, representatives, attorneys, experts, and other persons acting or purporting to act on behalf of it. “You” and “your” specifically includes any individual member of LULAC, acting in his/her capacity as an individual member of LULAC.
7. Federal Action. The term “Federal Action” means Case 2:13-cv-00193 in the United States District Court for the Southern District of Texas.
8. Federal Complaint. The term “Federal Complaint” means Document 109 in the Federal Action.
9. LULAC. The term “LULAC” means League of United Latin American Citizens.

10. Present. The term “Present” means June 3, 2014, or any such date on which the oral deposition of LULAC occurs in the above-captioned litigation.

11. Communication & Communicated. The terms “communication” and “communicated” mean the transmittal of information in the form of facts, ideas, inquiries, or otherwise.

12. Election Crimes. The term “Election Crimes” means intentional acts or willful failures to act, prohibited by state or federal law, that are designed to cause ineligible persons to participate in the election process; eligible persons to be excluded from the election process; ineligible votes to be cast in an election; eligible votes not to be cast or counted; or other interference with or invalidation of election results. “Election Crimes” includes any criminal form of Voter Fraud.

13. Voter Fraud. The term “Voter Fraud” is defined as fraudulent or deceptive acts committed to influence the act of voting, and includes both criminal and civil offenses and violations. “Voter Fraud” includes, but is not limited to, (1) making or knowingly possession a counterfeit of an official election ballot; (2) signing a name other than one’s own to a petition proposing an initiative, referendum, recall, or nomination of a candidate for office; (3) knowingly signing more than once for the proposition, question, or candidate in one election; (4) signing a petition proposing an initiative or referendum when the signer is not a qualified voter; (5) voting or attempting to vote in the name of another person; (6) voting or attempting to vote more than once during the same election; (7) intentionally making a false affidavit, swearing falsely, or falsely affirming under an oath required by statute regarding one’s voting status, including when registering to vote, requesting an absentee ballot or presenting to vote in person; (8) registering to vote without being entitled to register; (9) knowingly making a materially false statement on an application for voter registration or re-registration; (10) voting or attempting to vote in an election after being disqualified or when the person knows that he/she is not eligible to vote; and/or (11) knowingly soliciting or encouraging a person who is not qualified to vote in an election.

### MATTERS

1. The factual basis of your claims or defenses in this lawsuit, including any contention that SB 14, as enacted by the State of Texas’ 82<sup>nd</sup> Legislature, was (1) enacted with a discriminatory purpose and intent and (2) results in denying and abridging the right to vote on account of race and language minority status.

2. Any interest you have in the above-captioned litigation that is not adequately represented by the Plaintiff United States of America.
3. The identity of your members on June 26, 2013.
4. The identity of your members on August 22, 2013.
5. The identity of your members on December 6, 2013.
6. The identity of your members at Present.
7. Your activities related to voter identification legislation proposed or enacted in Texas since 2004.
8. Your activities relating to voter identification legislation proposed or enacted by any other United States state that is not Texas, any United States territory or outlying possession, or the District of Columbia since 2004.
9. Any policymaking or advocacy-related work performed by you or on your behalf regarding voter identification since 2004.
10. Your activities relating to voter registration since 2004.
11. Your activities relating to voter education since 2004.
12. Your activities relating to assisting voters during elections since 2004.
13. Any activities by you or on your behalf regarding SB 14.
14. All written testimony, talking points, or public statements made by you regarding SB 14.
15. Any calculations, reports, audits, estimates, projections, or other analyses related to the effect of SB 14 on minority voters or on voters who are members of a language minority group, from 2005 to the Present.
16. The identity of each registered voter known to you on June 26, 2013, who you contend has been unable to vote on account of his or her inability to obtain

photographic identification specified by SB 14 as enacted by the State of Texas' 82nd Legislature.

17. The identity of each registered voter known to you on August 22, 2013, who you contend has been unable to vote on account of his or her inability to obtain photographic identification specified by SB 14 as enacted by the State of Texas' 82nd Legislature.
18. The identity of each registered voter known to you on December 6, 2013, who you contend has been unable to vote on account of his or her inability to obtain photographic identification specified by SB 14 as enacted by the State of Texas' 82nd Legislature.
19. The identity of each registered voter known to you at Present, who you contend has been unable to vote on account of his or her inability to obtain photographic identification specified by SB 14 as enacted by the State of Texas' 82nd Legislature.
20. Attempts made from 2011 to the Present by each registered voter known to you on June 26, 2013 who you contend has been unable to vote on account of his or her inability to obtain photographic identification specified by SB 14 as enacted by the State of Texas' 82nd Legislature to obtain such a form of photographic identification.
21. Attempts made from 2011 to the Present by each registered voter known to you on August 22, 2013 who you contend has been unable to vote on account of his or her inability to obtain photographic identification specified by SB 14 as enacted by the State of Texas' 82nd Legislature to obtain such a form of photographic identification.
22. Attempts made from 2011 to the Present by each registered voter known to you on December 6, 2013 who you contend has been unable to vote on account of his or her inability to obtain photographic identification specified by SB 14 as enacted by the State of Texas' 82nd Legislature to obtain such a form of photographic identification.
23. Attempts made from 2011 to the Present by each registered voter known to you at the Present who you contend has been unable to vote on account of his or her inability to obtain photographic identification specified by SB 14 as

enacted by the State of Texas' 82nd Legislature to obtain such a form of photographic identification.

24. Any change in the number of voters who are your members and participated in elections between 2011 and 2013.
25. Please produce all documents and tangible things relating to the allegation in Paragraph 7(o) of your Federal Complaint that Plaintiff LULAC "has chapters in most Texas counties, including Nueces, Dallas and Harris Counties, and it has individual members who reside and vote in those counties."
26. Any allegations (whether substantiated or unsubstantiated) or concerns relating to Election Crimes, raised by your members, or which were communicated to you, from 2004 to the Present.
27. Any allegations (whether substantiated or unsubstantiated) or concerns relating to Voter Fraud, raised by your members, or which were communicated to you, from 2004 to the Present.
28. Any calculations, reports, audits, estimates, projections, or other analyses done by you, commissioned by you, or in your possession, custody, or control, relating to Voter Fraud, from 2004 to the Present.
29. Any calculations, reports, audits, estimates, projections, or other analyses done by you, commissioned by you, or in your possession, custody, or control, relating to Election Crimes, from 2004 to the Present.

Dated: August 8, 2014

Respectfully submitted,

GREG ABBOTT  
Attorney General of Texas

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First Assistant Attorney General

JONATHAN F. MITCHELL  
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/s/ John B. Scott  
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COUNSEL FOR THE STATE OF TEXAS,  
RICK PERRY, JOHN STEEN, and STEVE  
MCCRAW

**CERTIFICATE OF SERVICE**

I hereby certify that on August 8, 2014, a true and correct copy of the foregoing document was served via electronic mail to all counsel of record.

/s/ John B. Scott  
JOHN B. SCOTT